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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,377	06/19/2006	Olivier Savry	292223US2PCT	3122
22850 7590 12/18/2009 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER CHHAYA, SWAPNEEL				
ART UNIT 2895		PAPER NUMBER		
NOTIFICATION DATE 12/18/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/583,377

Applicant(s)

SAVRY ET AL.

Examiner

SWAPNEEL CHHAYA

Art Unit

2895

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22 and 24-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22 and 24-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 22, 31, 36, 32, 33, 35, 37 and 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Regarding claim 22, it is unclear as to how the first and second conductive elements are coupled and at the same the second conductive element is not connected. The definition of inductive coupling states that the current going through one element creates a voltage potential across the other.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 22, 24-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Bernstein ET. Al (U.S. Patent 4795898).

Claim 22: An electronic device comprising:

an integrated circuit chip configured to contain or process informative data needing to having security-sensitive content be securely protected, a first side of the chip comprising at least one first conductive element (121,122) connected to the integrated circuit, and a second side of the chip comprising at least one second conductive element (121,122) (Fig. 1-2,4 column 3 lines 35-55)

the second side being opposite of the first side, the first conductive element and the second conductive element being coupled by inductive coupling, the second conductive element not being electrically connected to the integrated circuit chip and the first conductive element. (Fig. 1-2, 4 columns 3 lines 25-65)

Claim 24: A device according to claim 22, wherein the first conductive element and the second conductive element include alternate intermingled, wound, or intertwined patterns. (Fig. 1)

Clam 25: A device according to claim 22, wherein the first conductive element includes a transmitting armature. (Fig. 1-2, 4 columns 3 lines 25-65)

Claim 26: A device according to claim 22, wherein the first conductive element and/or the second conductive element include an inductance. (Fig. 1-2, 4 columns 3 lines 25-

65)

Claim 27: A device according to claim 22, wherein the second conductive element includes an-earth a ground plane conductance or a low resistance. (Fig. 1-2, 4 column 3 lines 25-65)

Claim 28: A device according to claim 22, further comprising means-an electromagnetic excitation device for electromagnetic excitation of the first conductive element. (Fig. 1-2, 4 column 3 lines 25-65)

Claim 29: A device according to claim 22, further comprising means-an inductance measuring device for measuring inductance of at least one of the conductive elements and/or for detecting variation in the inductance. (Fig. 1-2, 4 column 3 lines 25-65 column 4 lines 25-50)

Claim 30: A device according to claim 29, further comprising means for deleting or ceasing to store data of the measured inductance in an event of a change being detected in a value of the inductance. (Fig. 1-2, 4 column 3 lines 25-65)

Claim 31: A device according to claim 22, wherein the first conductive element is connected to the integrated electronic circuit inside the chip, whereas the second conductive element is not connected to the integrated circuit chip and the first conductive element. (Fig. 1-2, 4 column 3 lines 25-65)

Claim 32 : A device according to claim 22claim 23, wherein the integrated circuit chip includes upper coating layers including at least one metal or conductive level allowing

the first conductive element to be connected with the integrated electronic circuit (Fig. 1-2,4 column 3 lines 25-65)

Claim 33: A device according to claim 22, wherein the first conductive element forms a circuit loop. (Fig. 1-2, 4 column 3 lines 25-65)

Claim 34: A device according to claim 22, wherein the second conductive element forms an earth plane or an equipotential. (Fig. 1-2, 4 column 3 lines 25-65)

Claim 35: A device according to claim 22, wherein the first conductive element includes at least one longilinear metal track. (Fig. 1-2,4 column 3 lines 25-65)

Claim 36: A device according to claim 22, wherein the first conductive element includes plural interconnected sections arranged in a substantially concentric way, so as to form a corrugation or a polygonal spiral or to form a substantially circular spiral. (Fig. 1-2,4 column 3 lines 25-65)

Claim 37: A device according to claim 22, wherein the first conductive element includes plural interconnected sections arranged in a substantially parallel way so as to form at least one meander or one coil. (Fig. 1-2,4 column 3 lines 25-65)

Claim 38: A device according to claim 22, wherein the second conductive element includes a plane or a metal plated surface portion or a network of conductive meshes, or a network of substantially circular, square, hexagonal or polygonal meshes, or a grid. (Fig. 1-2,4 column 3 lines 25-65)

Claim 39: A device according to claim 22, wherein each conductive element lies in a plane substantially parallel to a side surface of the integrated circuit chip. (Fig. 1-2,4 column 3 lines 25-65)

Claim 40: A device according to claim 22, wherein the conductive elements of the integrated circuit chip are coated with an encapsulation material.(Fig. 2)

Claim 41: A chip card, including at least one electronic device according to claim 22. (Fig. 1-2,4 column 3 lines 25-65)

Claim 42: An encryption or decoding device including one or more electronic devices according to claim 22. (Fig. 1-2,4 column 3 lines 25-65)

Response to Arguments

2. Applicant's arguments with respect to claims 22, 24-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SWAPNEEL CHHAYA whose telephone number is (571)270-1434. The examiner can normally be reached on Monday- Thursday 9:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Richards can be reached on 571-272-1736. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SC

/N. Drew Richards/
Supervisory Patent Examiner, Art Unit 2895